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Nightmare Off Yellowstone Trail

Subdivision Homeowners Meet to Discuss ‘Infuriating’ Complaints of Local Home Dealer

by Michael J. Marino

A group of some 21 Huntley homeowners in the Yellowstone Trail subdivision met August 26 to decide how to address a litany of complaints they have against one Billings company, J & J Homes, which sold them their houses. The subdivision is comprised of homes on Lynette Lane and Lenny Lane, located along Yellowstone Trail near Pryor Creek Golf Course. All but two of those who live within these homes agree: they are fed up.

Despite small differences in everyone’s story, they all have a common theme: a move-in date that gets delayed several times, followed by the shock of walking into a home riddled with structural defects ranging from cracked walls to buckling flooring to improperly installed doors that leak water when it rains.

The next step, of course,

would be to reach out to the owner of J&J Homes, Jason Wilcox, to address these issues. As can be seen in the stories to follow, this was just the beginning of a nightmare that continues to plague the residents of Yellowstone Trail...

The Berchtolds

Allison Berchtold bought her home in the 3600 block of Lynette Ln. in August 2021, but she said she and her late husband were not able to move in until April 2022.

Berchtold quickly found the delayed move-in date was just the beginning. “When I walked through the house, I just started crying,” said Berchtold. “It was a hot mess. And we paid extra money for all the ‘bells and whistles.’”

Bells and whistles? None to be found. Problems? “The list is quite extensive,” said Berchtold. Yellowstone Coun-

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The Yellowstone Trail Subdivision as depicted by drone imagery. Situated near the Pryor Creek Golf Course in Huntley, it seems on the surface almost like a dream location to buy a house and settle down. Unfortunately, quite the opposite has been the experience of many homeowners who now feel trapped in a decision they cannot get out of – at least, not unscathed. (Jonathan McNiven drone image)

City Members Join Heights Water Board; Debates Wrangle Over Many Issues

by Evelyn Pyburn

Jeff Essman, the City of Billings’ appointee to the Heights County Water Board, was sworn into office at the Board’s monthly meeting last Wednesday. But that didn’t happen until after, a

“point of order” was raised by board member Ming Cabrera, who said he had a letter from Bozeman attorney, Susan Swimley, advising that Essman was not eligible to be on the board.

Cabrera read a lengthy

portion of Montana law which he said required that Essman file paperwork that would allow him to vote on the board as a representative of a limited liability company (LLC)

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Governor Visits Pompey’s Pillar to Release Pheasants

by Michael J. Marino

Governor Greg Gianforte was joined on September 21 by Fish, Wildlife and Parks (FWP) Regional Supervisor, Mike Ruggels, along with three youth hunters, to release pheasants at the Yellowstone Wildlife Management Area (WMA) near

Pompey’s Pillar.

Releasing these pheasants was done ahead of the annual Youth Pheasant and Waterfowl Weekend. “Through its Roosters for Recruitment program,” said Gov. Gianforte, “FWP is helping create

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Governor Greg Gianforte and a group of young student hunters as they release one of several pheasants from captivity at the Yellowstone Wildlife Management Area (WMA) near Pompey’s Pillar last Thursday, Sept. 21. (Michael Marino photo)

Laurel Seeks Mill Levy to Hire Personnel for Ambulance Service

by Michael J. Marino

City of Laurel officials will seek a mill levy from voters on this year’s ballot which, if passed, will provide funding to the Laurel ambulance service so they can hire enough staff members to cover every

shift and avoid missing calls for service.

Lyndy Gurchiek, Director of Laurel Emergency Medical Services (EMS), said the service has historically been volunteer-based. However, due to a lack of people will-

ing to volunteer in recent years, there have been a lot of missed calls.

So, in 2020, the City decided to hire paid medical providers to staff the am-

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Laurel Senator Sues Dept. of Revenue for Alleged Unlawful Tax

by Michael J. Marino

A class action lawsuit filed Sept. 25 by Senator Brad Molnar (R-Laurel) alleges the Montana Department of Revenue (DOR) is illegally

calculating property taxes by carrying forward mills from previous years – which state law does not authorize DOR to do. If the Court does not take action, the suit claims Montana property owners will be unlawfully taxed to the tune of \$80 million.

On September 11, DOR sent a memorandum to all Montana counties letting them know the State Mill Statutes require counties to impose 95 mills on all properties throughout the state. The Montana Legislature enacted three laws in 1989 to require each county to levy 95 mills on all taxable property for “education equalization.” The

counties remit the proceeds of these to the DOR.

In 1999, lawmakers put a cap on the number of mills to be imposed on taxable property. Finally, in 2001, a law was created which limits the government’s authority to “impose” taxes to only “local governmental entities.”

Molnar’s complaint filed in Yellowstone District Court asserts that, “Unlike local governments, DOR does not have the authority to impose mills, even mills required by the State Mill Statutes. For the State Mill Statutes, DOR simply calculates the number

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